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**RIGHT-OF-WAY AGREEMENT**

THIS AGREEMENT made and entered into this 19<sup>th</sup> day of June, 1997, by and between NOLAN J. OLSEN and MARILYN J. OLSEN, his wife; MITCHELL J. OLSEN and KIMBERLY C. OLSEN, his wife, fee owners, and KIM POWELL and WENDY POWELL, his wife, equitable owners under a contract to purchase; TREVOR A. BLYTH and VICKI A. HANNIFAN, now known as VICKI A. BLYTH, his wife; TODD J. HAMMOND; T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST; THOMAS W. BLODGETT and CHRISTIE BLODGETT, his wife; ALTON C. LEAVITT and CAROL C. LEAVITT, his wife, hereinafter referred to as "GRANTORS"; and T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, hereinafter referred to as "GRANTEES".

**WITNESSETH:**

**WHEREAS**, the Grantors are all of the owners of property on a street known as "Creek Hollow Cove" located in Salt Lake County, State of Utah; and

**WHEREAS**, all of said Grantors have a right-of-way which runs on the west side of their respective properties, which right-of-way is described as follows, to-wit:

Beginning at a point which is North 89°41'00" West 508.82 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 0°08'21" West 1182.863 feet; thence North 89°41'00" West 20.00 feet; thence North 0°08'21" East 1182.863 feet; thence South 89°41'00" East 20.00 feet to the point of beginning.

**WHEREAS, NOLAN J. OLSEN and MARILYN J. OLSEN, his wife, are the fee owners of the following described property located in Salt Lake County, State of Utah, to-wit:**

BEGINNING at a point which is North 89°41'00" West 330.82 feet and South 0°08'21" West 571.40 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 329.283 feet; thence North 89°41'00" West 198.00 feet; thence North 0°08'21" East 329.283 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 1.49 acres more or less.

and

**WHEREAS, MITCHELL J. OLSEN and KIMBERLY C. OLSEN, his wife, are the fee owners with KIM POWELL and WENDY POWELL, being equitable owners under a contract to purchase, of the following described property located in Salt Lake County, State of Utah, to-wit:**

BEGINNING at a point which is North 89°41'00" West 330.82 feet and South 0°08'21" West 1044.284 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 138.579 feet; thence North 89°41'00" West 198.00 feet to the Easterly line of QUAIL VALLEY NO. 5 Subdivision; thence along said Easterly line North 0°08'21" East 138.579 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 0.63 acres more or less.

and

**WHEREAS, TREVOR A. BLYTH and VICKI A. HANNIFAN, now known as VICKI A. BLYTH, his wife, are the fee owners of the following described property located in Salt Lake County, State of Utah, to-wit:**

BEGINNING at a point which is North 89°41'00" West 330.82 feet and South 0°08'21" West 900.683 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 143.601 feet; thence North 89°41'00" West 198.00 feet to the Easterly line

of QUAIL VALLEY NO. 5 Subdivision; thence along said Easterly line North 0°08'21" East 143.601 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 0.64 acres more or less.

and

**WHEREAS, TODD J. HAMMOND** is the fee owner of the following described property located in Salt Lake County, State of Utah, to-wit:

BEGINNING at a point which is West along the Section Line 330.82 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 326.08 feet; thence North 89°41'00" West 198.00 feet; thence North 0°08'21" East 326.08 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 1.35 acres more or less.

and

**WHEREAS, T. JILL SEPPI and PAUL DAVID SEPPI**, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, are the fee owners of the following described property located in Salt Lake County, State of Utah, to-wit:

BEGINNING at a point which is West along the Section Line 330.82 feet and South 0°08'21" West 448.74 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 122.66 feet; thence North 89°41'00" West 198.00 feet; thence North 0°08'21" East 122.66 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 0.56 acres more or less.

and

**WHEREAS, THOMAS W. BLODGETT and CHRISTIE BLODGETT**, his wife, are the fee owners of the following described property located in Salt Lake County, State of Utah, to-wit:

BEGINNING at a point which is North 89°41'00" West 330.82 feet and South 0°08'21" West 1182.863 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 138.570 feet to the Northerly line of Quail Valley No. 5 Subdivision; thence along said Northerly line North 89°41'00" West 198.00 feet to the Northwest corner of Lot 84, Quail Valley No. 5 Subdivision; thence along the Easterly boundary of said subdivision North 0°08'21" East 138.570 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 0.62 acres more or less.

and

**WHEREAS**, ALTON C. LEAVITT and CAROL C. LEAVITT, his wife, are the fee owners of the following described property located in Salt Lake County, State of Utah, to-wit:

BEGINNING at a point which is West along the Section Line 330.82 feet and South 0°08'21" West 326.08 feet from the Center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian; and running thence South 0°08'21" West 122.66 feet; thence North 89°41'00" West 198.00 feet; thence North 0°08'21" East 122.66 feet; thence South 89°41'00" East 198.00 feet to the point of BEGINNING. Contains 0.56 acres more or less.

and

**WHEREAS**, T. JILL SEPPI and PAUL DAVID SEPPI, Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, own approximately 1.01 acres of real property lying to the west of the right-of-way, said property being located in Lot 2, Seppi Subdivision, Salt Lake County, State of Utah, and being more particularly described as follows:

Beginning at a point North 1986.733 feet and West 657.528 feet from the South 1/4 corner of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being the Northwest corner of Lot 7, Val-De-Neige Subdivision, according to the official plat thereof, and running thence South 89°41'22" East 132 feet along the Northerly line of said Lot 7, Val-De-Neige Subdivision to the Northeast corner of said Lot 7, Val-De-Neige and running thence North 0°17'02" East 359.72 feet; thence North 89°41'22" West 132 feet, more or less to the Easterly line of Pine Springs, Plat 1, according to the official

plat; thence South 0°18'38" West 302.85 feet, more or less along the Easterly line of said Val-De-Neige Subdivision; thence South 56.85 feet, more or less along the Easterly line of said Lot 6, to the point of BEGINNING.

and

**WHEREAS**, T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, have requested the right to the use of the above-described right-of-way for the purpose of ingress and egress from their property which lies to the west of said right-of-way as described herein; and

**WHEREAS**, Grantors as set forth above have agreed to convey to T. JILL SEPPI and PAUL DAVID SEPPI, Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, the right to the use of said right-of-way for ingress and egress.

**NOW, THEREFORE**, in consideration of the mutual covenants and agreements as set forth herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties hereby agree as follows:

1. That NOLAN J. OLSEN and MARILYN J. OLSEN, his wife; MITCHELL J. OLSEN and KIMBERLY C. OLSEN, his wife, fee owners, and KIM POWELL and WENDY POWELL, his wife, equitable owners under a contract to purchase; TREVOR A. BLYTH and VICKI A. HANNIFAN, now known as VICKI A. BLYTH, his wife; TODD J. HAMMOND; T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST; THOMAS W. BLODGETT and CHRISTIE BLODGETT, his wife; ALTON C. LEAVITT and CAROL C. LEAVITT, his wife, hereby convey to T. JILL SEPPI and PAUL DAVID SEPPI, Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, the following

described use of the right-of-way located in Salt Lake County, State of Utah, more particularly described as follows:

Beginning at a point which is North 89°41'00" West 508.82 feet from the center of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian, and running thence South 0°08'21" West 182.863 feet; thence North 89°41'00" West 20.00 feet; thence North 0°08'21" East 1182.893 feet; thence South 89°41'00" East 20.00 feet to the point of beginning.

2. That the conveyance of said right-of-way is for ingress and egress to the property owned by T. JILL SEPPI and PAUL DAVID SEPPI, Trustees of the T. JILL SEPPI FAMILY LIVING TRUST, containing 1.01 acres, and being more particularly described as follows:

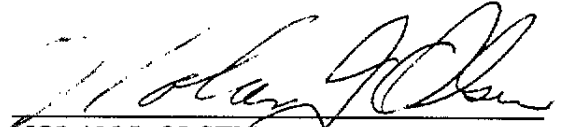
Lot 2, Seppi Subdivision, also described as beginning at a point North 1986.733 feet and West 657.528 feet from the South 1/4 corner of Section 34, Township 2 South, Range 1 East, Salt Lake Base and Meridian, said point also being the Northwest corner of Lot 7, Val-De-Neige Subdivision, according to the official plat thereof, and running thence South 89°41'22" East 132 feet along the Northerly line of said Lot 7, Val-De-Neige Subdivision to the Northeast corner of said Lot 7, Val-De-Neige and running thence North 0°17'02" East 359.72 feet; thence North 89°41'22" West 132 feet, more or less to the Easterly line of Pine Springs, Plat 1, according to the official plat; thence South 0°18'38" West 302.85 feet, more or less along the Easterly line of said Val-De-Neige Subdivision; thence South 56.85 feet, more or less along the Easterly line of said Lot 6, to the point of BEGINNING. (Containing 1.01 acres, more or less).

3. That the above-described property as set forth in paragraph 2 shall have no rights to be further subdivided, shall have only one access to the right-of-way as described above, and only one home shall be constructed on said property.

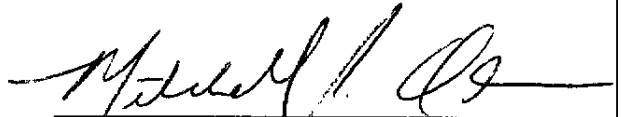
4. That Grantees acknowledge and agree that the right-of-way is a private road and that Grantees shall pay a proportionate share of the maintenance, snow removal and other costs applicable to said right-of-way.

DATED the year and date first above written.

GRANTORS

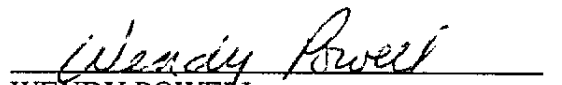
  
NOLAN J. OLSEN


  
MARILYN J. OLSEN

  
MITCHELL J. OLSEN

  
KIMBERLY C. OLSEN

  
KIM POWELL

  
WENDY POWELL

  
TREVOR A. BLYTH

*Vicki Blyth*

VICKI A. HANNIFAN, now known as  
VICKI A. BLYTH

*Todd J. Hammond*

TODD J. HAMMOND

*T. Jill Seppi*

T. JILL SEPPi, as Trustee of the T. JILL  
SEPPi FAMILY LIVING TRUST

*Paul David Seppi*

PAUL DAVID SEPPi, as Trustee of the  
T. JILL SEPPi FAMILY LIVING TRUST

*Thomas W. Blodgett*

THOMAS W. BLODGETT

*Christie Blodgett*

CHRISTIE BLODGETT

*Alton C. Leavitt*

ALTON C. LEAVITT

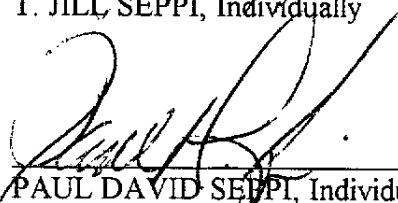
*Carol C. Leavitt*


CAROL C. LEAVITT

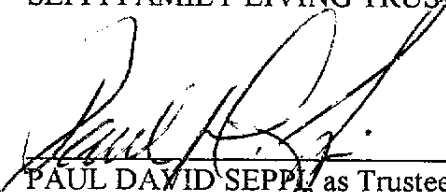


GRANTEES

  
T. JILL SEPPI, Individually

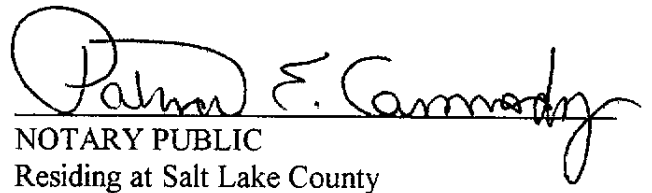
  
PAUL DAVID SEPPI, Individually

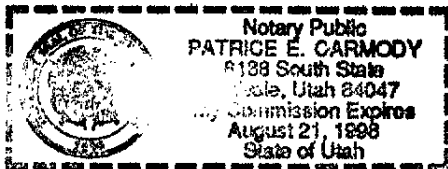
  
T. JILL SEPPI, as Trustee of the T. JILL  
SEPPI FAMILY LIVING TRUST

  
PAUL DAVID SEPPI, as Trustee of the  
T. JILL SEPPI FAMILY LIVING TRUST

STATE OF UTAH )  
 : SS  
COUNTY OF SALT LAKE )

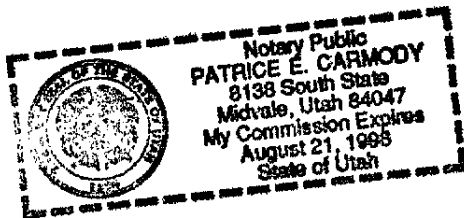
SUBSCRIBED AND SWORN to before me this 19<sup>th</sup> day of June, 1997, by NOLAN J. OLSEN and MARILYN J. OLSEN, his wife; MITCHELL J. OLSEN and KIMBERLY C. OLSEN, his wife; KIM POWELL and WENDY POWELL, his wife; TREVOR A. BLYTH and VICKI A. HANNIFAN, now known as VICKI A. BLYTH, his wife; TODD J. HAMMOND; T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST; THOMAS W. BLODGETT and CHRISTIE BLODGETT, his wife; ALTON C. LEAVITT and CAROL C. LEAVITT, his wife.

  
NOTARY PUBLIC  
Residing at Salt Lake County



STATE OF UTAH )  
 : SS  
COUNTY OF SALT LAKE )

SUBSCRIBED AND SWORN to before me this 19th day of June, 1997, by T. JILL SEPPI, individually; PAUL DAVID SEPPI, individually; and T. JILL SEPPI and PAUL DAVID SEPPI, as Trustees of the T. JILL SEPPI FAMILY LIVING TRUST.



*James E. Carmody*  
NOTARY PUBLIC  
Residing at Salt Lake County

6675190  
06/24/97 11:38 AM 54.00  
NANCY WORKMAN  
RECORDER, SALT LAKE COUNTY, UTAH  
MERRILL TITLE  
REC BY:D KILPACK ,DEPUTY - WI